

Image
1632

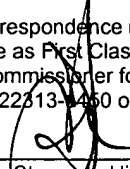
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December 23, 2003

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| CERTIFICATE OF MAILING 37 C.F.R. § 1.8 | |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below: | |
| December 23, 2003 Date |  Steven L. Highlander |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01450

Re: Serial Number 09/558,472 entitled "DIAGNOSIS AND TREATMENT OF MYOCARDIAL FAILURE" by Michael Bristow et al.
Our ref: MYOG:004USD1 / Matter No. 10014732


Commissioner:

Enclosed for filing in the above-referenced patent application is:

1. Response to Notice of Non-Compliant Amendment and Amendment and Request for Reconsideration Under 37 C.F.R. § 1.111 and
4. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

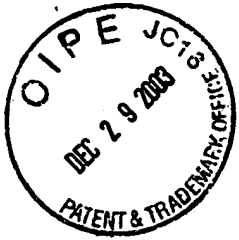
Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/MYOG:004USD1.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642

SLH/jle

25369429.1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael BRISTOW *et al.*

Serial No.: 09/558,472

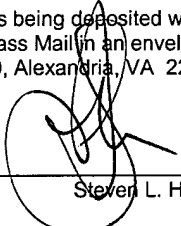
Filed: April 25, 2000

For: DIAGNOSIS AND TREATMENT OF
MYOCARDIAL FAILURE

Group Art Unit: 1632

Examiner: T. Ton

Atty. Dkt. No.: MYOG:004USD1

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| December 23, 2003 Date |  Steven L. Highlander |

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT AND

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-01450

Dear Sir:

This is in response to the Office Action mailed on March 21, 2003, and the Notice of Non-Compliant Amendment mailed on December 4, 2003 regarding the above-captioned application. No fees are believed due in connection with this filing. However, should any fees be due for any reason, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Acct. No. 55-1212/MYOG:004USD1. Consideration of this case in view of

the amendments made herein is respectfully requested.

Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 4 of this paper.